

### **REMARKS**

Claims 1-35 are now pending in the application. Claims 1-18 have been rejected. Claims 19-35 have been cancelled herein. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **INTERVIEW SUMMARY**

A telephone interview regarding this application was held on August 17, 2005 between Applicant's representative and Examiner Clifford Shaw. During the interview, agreement was reached on proposed amendments. The amendments herein are essentially the agreed upon language with the exception of grammatical changes.

### **REJECTION UNDER 35 U.S.C. § 103(A)**

The Examiner has rejected Claims 1-18 as being unpatentable over Kirchner et al. (U.S. Patent No. 6,011,234) in view of Ito (U.S. Patent No. 5,317,123). This rejection is respectfully traversed. It is believed that the originally filed claims are patentably distinct over the cited references. Notwithstanding, Claim 1 has been amended to state turning off the energy to the welder after the specified time, wherein the specified time is controlled by detecting the height as the element and component are welded together and a predetermined speed of the lowering of the element in relation to the component. Support for this amendment can be found in Figure 3 and accompanying text. In contrast, neither Kirchner et al. nor Ito, individually or in combination, disclose, teach, or suggest the claimed combination of elements, especially as amended.

For example, neither Kirchner et al. nor Ito disclose, teach, or suggest the use of energizing a welder for a specified time, wherein the specified time is controlled by a speed of the lowering of an element in relation to the component. Accordingly, it is respectfully requested that the instant rejection be withdrawn.

In addition, Claim 8 has been amended to state that controlling of the specified time by a controlling speed based on the distance of the element relative to the component. Support for this amendment can be found in Figure 4 and the supporting text. In contrast, neither Kirchner et al. nor Ito, individually or in combination, disclose, teach, or suggest the claimed combination of elements, especially as amended, as discussed above. Accordingly, it is respectfully requested that the instant rejection be withdrawn.

All claim amendments not specifically discussed herein have been made to either broaden the claim or to improve grammar and not to overcome any cited references. Therefore, all these claim amendments should be entitled to their full range of equivalents.

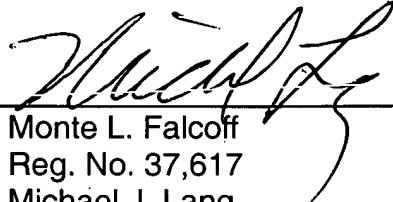
## **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication

will expedite prosecution of this application, the Examiner is invited to telephone  
the undersigned at (248) 641-1600.

Respectfully submitted,

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